IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1998 OF 2005

Marutirao Bhunaji Rankhambe ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr.Vikas Shivarkar, for the Applicant.

Mr.V.B. Konde Deshmukh, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

30th March 2005

P.C.:

. Heard Counsel for the parties. Perused the record. Learned A.P.P. fairly accepts that even if statements of three witnesses who have spoken against the Applicant is accepted as it is, it would only indicate that the Applicant had threatened the first informant and other witnesses not to go to police and report about

the offence. In other words, the Applicant has allegedly dissuaded the first informant and other prosecution witnesses from reporting the alleged offence. That by no standards would mean that the Applicant was himself involved in the offence which was already committed by his son. In other words, the offence would at best be of the Applicant creating situation that the offence is not reported and taken to its logical end. Besides, investigation is complete and charge sheet is already filed. So also, the learned A.P.P. fairly accepts that there is no evidence suggesting participation of the Applicant in the actual offence of assault on the deceased. Viewed in this perspective, the Applicant deserves to be enlarged on bail, but on the following conditions.

(A) The Applicant is directed to be released on bail in connection with CR.No.208/2004 registered at Haveli Police Station on executing personal bond in the sum of Rs.10,000/- (Rupees Ten thousand only) with two local sureties in the like amount.

(B) The Applicant shall report to the investigating officer once in a month on first Saturday of every English calendar month between 10 a.m. to 2 p.m.

(C) The Applicant shall not influence the prosecution witnesses nor shall tamper with the prosecution evidence in any manner whatsoever.

(4) The Applicant shall co-operate for early disposal of the trial. If the trial Court is of the opinion that the Applicant is in any manner responsible for causing delay in disposal of the trial, that opinion be recorded in the roznama, which can be a ground for cancellation of bail.

. Application disposed of on the above terms.

(A.M.KHANWILKAR,J.)